

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

T. LEVY ASSOCIATES, INC.,	:	
	:	
<i>Plaintiff,</i>	:	Civil Action No. 16-4929 (MEK)
v.	:	
	:	
MICHAEL R. KAPLAN, <i>et al.</i> ,	:	
	:	
<i>Defendants.</i>	:	

PRAECIPE FOR WRIT OF EXECUTION

TO THE CLERK:

ISSUE WRIT OF EXECUTION in the above matter, directed to the United States Marshal for the Eastern District of Pennsylvania, and against:

Michael R. Kaplan	Nina Kaplan	BLC Beauty, Inc.
Jacksonville Station Apts.	Jacksonville Station Apts.	46 West Road
375 Jacksonville Road	375 Jacksonville Road	Newtown, PA 18940-4301
Warminster, PA 18974-1519	Warminster, PA 18974-1519	

and against:

(Name and Address of Garnishee)

garnishee, and index this writ against * _____ and against _____

_____ as garnishee, as a lis pendens

against real property of the judgment debtor in the name of the garnishee, as follows:

Amount Due as to Michael R. Kaplan:	\$966,262.50
Amount Due as to Nina Kaplan:	\$583,132.00
Amount Due as to BLC Beauty, Inc.:	\$583,130.50
Interest From June 30, 2017:	\$

Respectfully submitted,

SPECTOR GADON & ROSEN, P.C.

By: Daniel J. Dugan

Daniel J. Dugan, Esquire

Bruce Bellingham, Esquire

1635 Market Street, 7th Floor

Philadelphia, PA 19103

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215.241.8872

Attorneys for T. Levy Associates

July 18, 2017

*Applicable to real estate only (Rule 3104(c) Pa. R.C.P.).

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<i>Plaintiff,</i>	:	
	:	
v.	:	
	:	
MICHAEL R. KAPLAN, <i>et al.</i> ,	:	
	:	
<i>Defendants.</i>	:	

WRIT OF EXECUTION

TO THE UNITED STATES MARSHAL FOR THE EASTERN DISTRICT OF
PENNSYLVANIA:

To satisfy judgment, interest, and costs against:

Michael R. Kaplan Jacksonville Station Apts. 375 Jacksonville Road Warminster, PA 18974-1519	Nina Kaplan Jacksonville Station Apts. 375 Jacksonville Road Warminster, PA 18974-1519	BLC Beauty, Inc. 46 West Road Newtown, PA 18940-4301
Name of Defendant(s)		

(1.) You are directed to levy upon the property of the defendant(s) and to sell his/her/its interest therein:

**ANY AND ALL PERSONAL PROPERTY INCLUDING BUT NOT LIMITED TO
FURNITURE, FIXTURES, ARTWORK, FURNISHINGS, ELECTRONICS,
COMPUTERES, APPLIANCES, JEWELRY, CLOTHING, CASH, OR ANYTHING
ELSE OF VALUE BELONGING TO MICHAEL KAPLAN AND/OR NINA KAPLAN
AND/OR BLC BEAUTY, INC. LOCATED AT:**

**JACKSONVILLE STATION APARTMENTS
375 JACKSONVILLE ROAD
WARMINSTER, PA 18974-1519**

(2.) You are also directed to attach the property of the defendant(s) not levied upon in the possession of:

(Name of Garnishee)

as garnishee.

(Specifically Describe Property)

and to notify the Garnishee(s) that

- (a) an attachment has been issued;
- (b) except as provided in paragraph (c), the garnishee is enjoined from paying any debt to or for the account of the defendant and from delivering any property of the defendant or otherwise disposing thereof;
- (c) the attachment shall not include
 - (i) the first \$10,000 of each account of the defendant with a bank or other financial institution containing any funds which are deposited electronically on a recurring basis and are identified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or federal law.
 - (ii) each account of the defendant with a bank or other financial institution in which funds on deposit exceed \$10,000 at any time if all funds are deposited electronically on a recurring basis and are identified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or federal law.
 - (iii) any funds in an account of the defendant with a bank or other financial institution that total \$300 or less. If multiple accounts are attached, a total of \$300 in all accounts shall not be subject to levy and attachment as determined by the executing officer. The funds shall be set aside pursuant to the defendant's general exemption provided in 42 Pa.C.S. §8123.

(3) If property of the defendant not levied upon and subject to attachment is found in the possession of anyone other than the named garnishee(s), you are directed to notify such other person that he or she has been added as a garnishee and are enjoined as above stated.

Amount Due as to Michael R. Kaplan:	\$966,262.50
Amount Due as to Nina Kaplan:	\$583,132.00
Amount Due as to BLC Beauty, Inc.:	\$583,130.50
Interest From June 30, 2017:	\$

KATE BARKMAN

(Clerk of Court)

By: _____

(Deputy Clerk)

Seal of the Court

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FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

T. LEVY ASSOCIATES, INC.,	:	
	:	
<i>Plaintiff,</i>	:	Civil Action No. 16-4929 (MEK)
	:	
v.	:	
	:	
MICHAEL R. KAPLAN, <i>et al.</i> ,	:	
	:	
<i>Defendants.</i>	:	

**WRIT OF EXECUTION
NOTICE**

This paper is a Writ of Execution. It has been issued because there is a judgment against you. It may cause your property to be held or taken to pay the judgment. You may have legal rights to prevent your property from being taken. A lawyer can advise you more specifically of these rights. If you wish to exercise your rights, you must act promptly.

The law provides that certain property cannot be taken. Such property is said to be exempt. There is a debtor's exemption of \$300. There are other exemptions which may be applicable to you. Attached is a summary of some of the major exemptions. You may have other exemptions or other rights.

If you have an exemption, you should do the following promptly: (1) Fill out the attached claim form and demand for a prompt hearing. (2) Deliver the form or mail it to the United States Marshal's office at the address noted.

You should come to court ready to explain your exemption. If you do not come to court and prove your exemption, you may lose some of your property.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

LAWYER REFERENCE SERVICE

One Reading Center
11th Floor
Philadelphia, PA. 19107
(215) 238 - 1701

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<i>Plaintiff,</i>	:	Civil Action No. 16-4929 (MEK)
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MICHAEL R. KAPLAN, <i>et al.</i> ,	:	
	:	
<i>Defendants.</i>	:	

CLAIM FOR EXEMPTION

To the U.S. Marshal:

I, the above named defendant, claim exemption of property from levy or attachment:

(1) From my personal property in my possession which has been levied upon,

(a) I desire that my \$300 statutory exemption be

(i) set aside in kind (specify) property to be set aside in kind:

_____;

(ii) paid in cash following the sale of the property levied upon; or

(b) I claim the following exemption (specify property and basis of exemption):

(2) From my property which is in the possession of a third party, I claim the following exemptions:

(a) My \$300 statutory exemption: in cash: in kind

(specify property): _____

(b) Social security benefits on deposit in the amount of \$ _____

(c) Other (specify amount and basis of exemption): _____

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I request a prompt hearing to determine the exemption. Notice of the hearing should be given to me at _____

_____, _____.

(Address) (Telephone)

I declare under penalty of perjury that the foregoing statements made in this claim for exemption are true and correct.

Date: _____

(Signature of Defendant)

THIS CLAIM TO BE FILED WITH THE OFFICE OF THE U.S. MARSHAL FOR THE
EASTERN DISTRICT OF PENNSYLVANIA:

2110 United States Courthouse
601 Market Street
Philadelphia, Pennsylvania, 19106
(215) 597-7272

Note: Under paragraphs (1) and (2) of the writ, a description of specific property to be levied upon or attached may be set forth in the writ or included in a separate direction to the United States Marshal.

Under paragraph (2) of the writ, if the attachment of a named garnishee is desired, his name should be set forth in the space provided.

Under paragraph (3) of the writ, the United States Marshal may, as under prior practice, add as a garnishee any person not named in this writ who may be found in possession of property of the defendant. See Rule 3111(a). For limitations on the power to attach tangible personal property. see Rule 3108 (a).

(b) Each court shall by local rule designate the officer, organization or person to be named in the notice.

MAJOR EXEMPTIONS UNDER PENNSYLVANIA AND FEDERAL LAW

1. \$300.00 statutory exemption
2. Bibles, school books, sewing machines, uniforms and equipment.
3. Most wages and unemployment compensation.
4. Social Security benefits.
5. Certain retirement funds and accounts.
6. Certain veteran and armed forces benefits.
7. Certain insurance proceeds.
8. Such other exemptions as may be provided by law.